



SIGNED THIS 26th day of January, 2021

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.

  
Rebecca B. Connelly  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

IN RE:  
JOHN ALAN ROSS,  
Debtor(s).

Chapter 11  
Case No. 20-50129

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**ORDER CONFIRMING CHAPTER 11 SUBCHAPTER V PLAN**

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Upon the Debtor's Second Amended Chapter 11 Small Business Plan ("Plan") filed on December 9, 2020, and the Debtor's service of the Court's Order and Notice Under Subchapter V of Chapter 11, Fixing Dates for Hearing on Confirmation of Plan; Filing Acceptances or Rejections of Plan; and Filing Objections to Confirmation of Plan, along with a ballot to vote to accept or reject the Plan, and the Debtor's Ballot Summary filed on January 13, 2021, and no objections to the Plan and the Debtor's proffered evidence in support of the Plan and opportunities for parties to be heard at the hearing on January 20, 2021, and the Court's finding, as indicated by its comments and statements on the record that the Plan complies with and is eligible for confirmation under 11 U.S.C. § 1191(b), and good cause shown, it is hereby:

**ORDERED**

that the Debtor's Second Amended Chapter 11 Small Business Plan be, and hereby is CONFIRMED under 11 U.S.C. § 1191(b), subject to the terms of this Order. It is further:

ORDERED

that notwithstanding anything to the contrary in the Plan, the Debtor and Wells Fargo agree that the secured debt outstanding against the Debtor's residence at 1021 Bowmans Mill Road, Middletown, Virginia as of January 20, 2021, is \$731,048.19. The Debtor and Wells Fargo further agree that the Debtor's payments under Class 2 of his Plan, to commence on June 24, 2021, will be \$1,523.02 per month. The payments due from January 24, 2021 through May 24, 2021 shall be payable when the note balloons and comes due. It is further:

ORDERED

that pursuant to the Plan's treatment of the Class 4 William A. Truban, Jr. secured claim, that claim is treated as a fully unsecured claim, and the lien on the Debtor's residence at 1021 Bowmans Mill Road, Middletown, Virginia evidenced by the Deed of Trust in favor of William A. Truban, Jr. shall be deemed avoided and no longer of any force or effect. This treatment shall be effectuated by the recordation of this Order and the Second Amended Chapter 11 Small Business Plan in the Clerk's Office for the Circuit Court of Warren County, Virginia. It is further

ORDERED

that notwithstanding anything in the Plan to the contrary, professional fee applications for service rendered through the Effective Date shall be filed on or before forty-five (45) from the Effective Date. It is further

ORDERED

that pursuant to Article XIII of the Second Amended Chapter 11 Small Business Plan, upon completion of payments under this Plan and notice to Creditors, the Debtor shall be entitled to, and the Court will issue, the Debtor's discharge pursuant to 11 U.S.C §1192. It is further

ORDERED

that the Subchapter V Trustee shall continue to serve in this Case in that capacity until the completion of payments under this Plan.

\*\*\* End Of Order \*\*\*

REQUESTED:

JOHN ALAN ROSS

By: /s/ Andrew S. Goldstein  
Of Counsel

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*Counsel for the Debtor*

SEEN AND AGREED:

UNITED STATES TRUSTEE

By: /s/ Margaret K. Garber  
Margaret K. Garber, Esq. (VSB #34412)  
Assistant United States Trustee  
Office of United States Trustee  
210 First St., Suite 505  
Roanoke, VA 24011

CHAPTER 11 TRUSTEE, Subchapter V

/s/ William E. Callahan, Jr.  
William E. Callahan, Jr.  
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WELLS FARGO BANK

By: /s/ Mary B. Lake  
Of Counsel

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